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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	MAG. NO. 04-00380 BMK
)	
Plaintiff,)	
)	
vs.)	ORDER TO DETAIN DEFENDANT
)	WITHOUT BAIL
ROBERT C. PACARIEM,)	
)	
Defendant.)	
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ORDER TO DETAIN DEFENDANT WITHOUT BAIL

This matter came before the Court on the motion of the United States to detain the defendant without bail pursuant to 18 U.S.C. § 3142. A hearing was held on May 1, 2006. The Court reviewed the Complaint in this case and accepted the original Pretrial Services Agency report.

The Court has considered the factors in 18 U.S.C. § 3142(g). Based upon a review of the foregoing, the Court

grants the Motion to Detain, finding by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and/or the community, and by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, should the defendant be released. The Court makes these findings after considering the nature and seriousness of the offense charged, the defendant's criminal history, and defendant's record of failing to appear at court proceedings.

Accordingly, IT IS ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; that the defendant be afforded reasonable opportunity for private consultation with counsel; and that, on order of a Court of the United States or on request from an attorney for the government, the person in charge of the corrections facility in which defendant is confined deliver the

defendant to a United States Marshal for the purposes of appearance or in connection with any Court proceeding.

Dated: Honolulu, Hawaii, May 3, 2006.




Kevin S.C. Chang
United States Magistrate Judge

UNITED STATES v. ROBERT C. PACARIEM

Mag. No. 04-00380 BMK

"Order To Detain Defendant Without Bail"